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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,165	07/31/2001	Stephen M. Soldis	1842-1000.1	6225

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EXAMINER

BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 03/26/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/919,165

Applicant(s)

SOLDIS, STEPHEN M.

Examiner

Dennis G Bonshock

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Kershaw et al., Patent #5,827,070, hereinafter Kershaw.

3. With regard to claim 1, which teaches providing a student with recognizable student identification indicia, Kershaw teaches, in column 40, lines 25-32 and column 46, lines 52-59, the examinee having sign on data, a name, and a registration number. With regard to claim 1, further teaching providing the testing facility with a recognizable verification indicia indicative of verification by the testing of the identification of the student, Kershaw teaches, in column 46, lines 20-26 and 52-67, the key file containing the administrative logon ID, password and the names of the authorized to use the system. The administrator further compares the names and registration numbers of the examinees (see also column 10, lines 28-38). With regard to claim 1, further teaching accessing the internet through a terminal at said testing facility a predetermined interactive web site for the test provider, Kershaw further teaches, in column 10, lines 8-12 and lines 28-38, reporting the text information over a network to a central processing site, where it is INHERENT that this central processing site could be a web site accessed over the internet. With regard to claim 1, further teaching transmitting to the

predetermined interactive web site through the terminal at the testing facility of both the student identification indicia and the verification indicia, Kershaw further teaches, in column 10, lines 28-38, collecting examinee identification, and administrative logons IDs and passwords and reporting to a central processing site. With regard to claim 1, further teaching providing on the predetermined interactive web site a test for the student and receiving answers to the test from the student, Kershaw further teaches, in column 10, lines 28-38 and lines 41-48 and in column 277, lines 7-16 and lines 43-51, the remote site providing tests and receiving report records. With regard to claim 1, further teaching the test provider testing the student and being assured of the proper identification of the student being test, Kershaw further teaches, in column 9, lines 3-5 and in column 30, line 59 through column 31, line 5, the proper identification of a examinee and allowing a authorized user to take a test.

4. With regard to claim 2, which teaches the student identification indicia being transmitted to the predetermined interactive web site through the terminal at the testing facility prior to the transmission of the verification indicia by the testing facility, Kershaw teaches, in column 46, lines 52-67, the verification of examinee name and registration number before the administrator enters a code.

5. With regard to claim 3, which teaches the verification indicia being a password provided to the testing facility to be entered by the testing facility after it has verified the identity of the student taking the test, Kershaw teaches, in column 9, lines 3-5, column 10, lines 28-38, column 45, lines 52-62, and in column 46, lines 52-67, verification indicia being a password that is entered after the examinee is identified.

6. With regard to claim 4, which teaches the password system being periodically changed by the test provider to maintain the integrity of the system, Kershaw teaches, in column 10, lines 28-38 and column 46, lines 20-26, the changing of the password in the system, by the administrator.

7. With regard to claim 5, which teaches the password being a combination of codes to further maintain the integrity of the system and prevent dissemination of the password to unauthorized users, column 46, lines 20-26, the password which is known in the art to be a means of maintaining the integrity of a system and prevent dissemination of the password to unauthorized users.

Conclusion

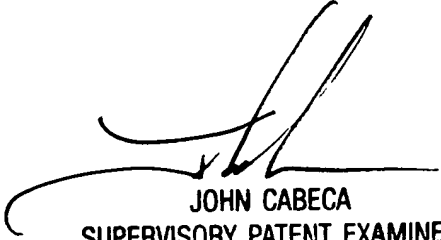
8. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach systems for providing remote testing.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G Bonshock whose telephone number is (703) 305-4668. The examiner can normally be reached on Monday - Friday, 8:30 a.m. - 5:00 p.m.

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

dgb



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